

**LOCAL PLANNING AGENCY
DECEMBER 12, 2001**

1. ROLL CALL

The meeting was called to order at 7:03 p.m. Board members present were Chair Jay Stahl, Vice-Chair Mike Bender, Edna Moore, and Mimi Turin. Also present were Town Attorney Monroe Kiar, Development Services Director Mark Kutney, Planner Chris Gratz and Board Secretary Janet Gale recording the meeting. Bob Waitkus was absent.

2. APPROVAL OF MINUTES: November 28, 2001

Vice-Chair Bender made a motion, seconded by Ms. Moore, to approve the minutes of November 28, 2001. In a voice vote, with Mr. Waitkus being absent, all voted in favor. (Motion Carried 4-0)

3. PUBLIC HEARING

3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, AMENDING SECTIONS 12-34. ENTITLED "STANDARDS ENUMERATED"; PROVIDING FOR DETAILED USE REGULATIONS RELATED TO FARMS AND AGRICULTURAL USES; AND AMENDING SECTION 12-503 ENTITLED "DEFINITIONS"; PROVIDING FOR DEFINITIONS RELATING TO FARMS AND AGRICULTURAL USES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Gale read the ordinance by title.

Mr. Kutney provided background information and referenced the staff report which had been distributed. He explained staff's intent and advised that the proposed ordinance would go before the Town Council for its second reading on December 19th.

Mr. Kiar advised that up to "Section 15," the language of the ordinance was an "art of negotiation" between his office and the agricultural representatives. He indicated that the language beyond "Section 15" was a collaborative effort among Julie Aitken, Jason Curtis, Arthur Hurley and Councilmember Tom Truex. Mr. Kiar emphasized that at the onset of composing this ordinance, he was "far apart" from what Ms. Aitken had proposed. He indicated that at this point, that was no longer the situation.

Mr. Kutney briefly mentioned the differences and concerns that staff had with the proposed ordinance.

Ms. Turin questioned (5) "... shall not apply to farms existing on the date this Ordinance is adopted by the Town Council ..." and asked if an inventory would be made of the farms which existed. Mr. Kutney believed that a registry of the existing farms was a good suggestion. At Ms. Turin's notation, it was agreed that (15)(e) "Hearing Officer" should be changed to "Special Master". She pointed out a typographical error in (16)(a) where the word "preserve" was inadvertently repeated. Mr. Kutney indicated that the typo had been corrected.

Chair Stahl asked if anyone wished to speak for or against this ordinance and invited Ms. Aitken to be the first speaker.

Julie Aitken, 3801 Flamingo Road, made clarifications and provided information which she argued was in support of the proposed ordinance.

**LOCAL PLANNING AGENCY
DECEMBER 12, 2001**

**LOCAL PLANNING AGENCY
DECEMBER 12, 2001**

Speaking in favor of the proposed ordinance were:

Arthur Hurley, 4601 SW 128 Avenue

Fred Siegel, 5400 S. University Drive

Jason Curtis, 3801 Flamingo Road

As there were no other speakers, the public hearing was closed.

In the discussion which ensued, Agency members made inquiries of staff and Mr. Kiar in order to clarify points of concern. Issues were addressed and opinions were expressed.

Vice-Chair Bender made a motion, seconded by Ms. Moore, to move the ordinance forward as is and let the Town Council decide on staff's recommendations. In a roll call vote, the vote was as follows: Chair Stahl - yes; Vice-Chair Bender - yes; Ms. Moore - yes; Ms. Turin - yes; Mr. Waitkus - absent. **(Motion carried 4-0)**

4. DISCUSSION

4.1 Proposed Cost Recovery Ordinance

Mr. Kutney provided background information on the proposed ordinance and explained its intent. He advised that the ordinance was in the process of being formatted and expressed his concerns and told of the follow-up research staff was involved in doing to develop its concept. Mr. Kutney clarified that he was asking for the Agency's opinions as it related to the proposed ordinance.

In the lengthy discussion which ensued, Agency members objectively critiqued the ordinance, expressed their opinions and provided the reasoning in support of their various prospectives.

Mr. Kutney indicated that he would take the Agency's comments under advisement and "fine tune" the ordinance to be brought back for the Agency's review.

5. OLD BUSINESS

There was no old business discussed.

6. NEW BUSINESS

Vice-Chair Bender made an inquiry of Mr. Kutney regarding the over-night clearing of property located on Weston Road and south of the Post Road bridge. Mr. Kutney identified it as the Davie Nissan-Volvo site and explained why the site was exempted from the Clearing and Grubbing Ordinance.

7. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

8. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 8:24 p.m.

Date Approved _____

Chair/Agency Member

